

BOARD OF SUPERVISORS  
COUNTY OF YORK  
YORKTOWN, VIRGINIA

Ordinance

At a regular meeting of the York County Board of Supervisors held in the Board Room, York Hall, Yorktown, Virginia, on the \_\_\_\_ day of \_\_\_\_, 2003:

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Present

Vote

James S. Burgett, Chairman  
Thomas G. Shepperd, Jr., Vice Chairman  
Walter C. Zaremba  
Sheila S. Noll  
Donald E. Wiggins

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On motion of \_\_\_\_, which carried \_\_, the following ordinance was adopted:

AN ORDINANCE TO AMEND SECTION 19-5, YORK COUNTY CODE, RELATIVE TO THE DISPOSAL OR DUMPING OF COMPANION ANIMALS ON HIGHWAY RIGHT-OF-WAYS.

BE IT ORDAINED by the York County Board of Supervisors this \_\_\_\_ day of \_\_\_\_, 2003, that Section 19-5 of the York County Code be and it is hereby amended to read and provide as follows:

**Sec. 19-5. Same—On highway right-of-way or private property.**

- (a) No person shall dump or otherwise dispose of solid waste material or a companion animal for the purpose of disposal on a public highway, right-of-way property adjacent to such highway or right-of-way, or on private property without the written consent of the owner thereof or his agent.
- (b) When any person is arrested for a violation of this section and the matter alleged to have been dumped or disposed of on the highway, right-of-way, property adjacent to such highway or right-of-way, or private property has been ejected from a motor vehicle, the arresting officer may comply with the provisions of section 46.2-936, Code of Virginia in making such arrest.
- (c) When a violation of the provisions of this section has been observed by any person and the matter dumped or disposed of on the highway, right-of-way, property adjacent to such highway or right-of-way, or private property has been ejected from a motor vehicle, the owner or operator of such motor vehicle shall be pre-

sumed to be the person ejecting such trash, garbage, refuse or other unsightly matter; provided, however, that such presumption shall be rebuttable by competent evidence.

- (d) Any sums collected under the terms of this section shall be paid to the county treasurer and credited to the general county fund.
- (e) As used in this section, the term "companion animal" shall be as defined in section 3.1-796.66, Code of Virginia.
- (f) Any person convicted of a violation of this section shall be guilty of a misdemeanor punishable by confinement in jail for not more than 12 months and a fine of not less than two hundred fifty dollars (\$250.00) or more than two thousand five hundred dollars (\$2,500.00), either or both. In lieu of the imposition of confinement in jail, the court may order the defendant to perform community service in litter abatement activities.